

Remarks

Status of the Claims

Claims 1 – 8 and 12 – 13 are presently pending. Claims 9 – 11 were previously canceled; and Claim 14 is presently canceled. Claims 1, 2, 5 - 7, and 12 are currently amended. The amendment to claim 2 is only to correct “R4” to read “R⁴”, consistent with the remainder of the claims as filed. Amendments to claims 6 and 7 are merely to conform the claims to proper Markush format. All canceled subject matter is canceled without prejudice toward its pursuit in one or more divisional and/or continuing applications.

Objection to the Specification

Applicants have provided herewith an Abstract of the Invention, as requires by 37 CFR 1.72(b). Support for the subject matter of the Abstract can be found in the application as filed; for example, see page 1, lines 4 – 11. The new Abstract does not contain new matter.

Rejections under 35 U.S.C. 112, 2nd paragraph

Claims 1-5, 8, 12, and 14 presently stand rejected under 35 U.S.C. §112, 2nd paragraph for allegedly being indefinite. Discussion of each of the Claim rejections follows. The applicants respectfully requests reconsideration and withdrawal of each of the rejections.

a. Claim 1

Claim 1 is allegedly indefinite due to the recitation of “halogen” within the proviso for the variable R³. The definition for R³ has been amended by deleting “halogen” and inserting “fluoro or chloro” therefor, consistent with the definition of R³ in the claims and the application as filed.

b. Claim 5

The typographical errors “piperidinarnine” and “piperidinamne” have been corrected as suggested by the Office in the present action. However, Applicants note that the term “piperidinamine” is a correct spelling for the claimed compounds.

Applicants submit that the corrections for each of the preceding errors are supported by the application as filed; see, the disclosure of the particular compounds on page 4, lines 10 – 14 of the application as filed.

c. Claim 12

Claim 12 is allegedly indefinite due to the recitation of “halogen” within the proviso for the variable R^3 and for the definition of the variable “P” as an “amine protecting group.”

As in Claim 1, the definition of R^3 has been amended to correct “halogen” to read “fluoro or chloro”, consistent with the definition of R^3 in the claims and the application as filed.

With respect to the variable “P”, the definition has been amended to recite the specific amino protecting groups listed in paragraph on page 5, lines 11-22 of the specification.

d. Claim 14

Claim 14 has been canceled.

Allowable subject matter

Applicant thanks the Office for finding claims 5 and 6 allowable, and Claim 13 allowable if rewritten in independent form.

As If it is believed that a teleconference will advance prosecution, the examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,

Date: July 29, 2008

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